

33432-A-PCT-USA-A (070050.2407)  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Modak *et al.*  
Appln. No. : 10/600,257 Examiner : Azpuru, Carlos A.  
Filed : June 20, 2003 Group Art Unit : 1615  
For : ANTIMICROBIAL MEDICAL DEVICES

**INFORMATION DISCLOSURE STATEMENT**

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

March 21, 2005  
Date of Deposit

Peter J. Shen  
Attorney Name

[Signature]  
Signature

52,217  
Patent Reg. No.

March 21, 2005  
Date of Signature

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the enclosed Form PTO-1449 and respectfully request that the listed documents be considered by the Examiner and made of record in the above-captioned application. Copies of the international search report and written opinion issued in the parent international application (No. PCT/US01/49205) are enclosed herewith. Copies of all foreign patent documents and literature references listed on the enclosed Form PTO-1449 are currently being collected and will follow shortly.

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This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

This Information Disclosure Statement is being filed after the mailing date of the first Office Action on the merits of referenced application. Therefore, Applicants enclose the fee due in connection with the submission of this paper. If any additional fee is due, or if any overpayment has been made, the Commissioner is authorized to charge any such fee or credit any overpayment, to our Deposit Account No. 02-4377.

Respectfully submitted,

BAKER BOTTS L.L.P.

By: 

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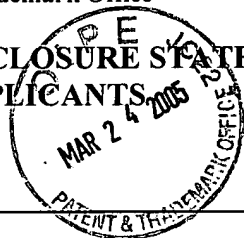
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212-408-2500

Form PTO-1449 U.S. Department of Commerce  
(REV. 2-82) Patent and Trademark Office

Atty. Docket No.  
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Serial No.  
10/600,257

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BY APPLICANTS**



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Modak et al.

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1615

**U.S. PATENT DOCUMENTS**

*Exam. Init.	Document No.	Date	Name	Class	Subclass	Filing Date if Appropriate
	4 6 0 5 5 6 4	08/12/86	Kulla et al.	427	2.3	
	4 7 2 3 9 5 0	02/09/88	Lee	604	322	
	4 9 9 9 2 1 0	03/12/91	Solomon et al.	427	2	
	4 9 9 4 0 4 7	02/19/91	Walker et al.	604	264	
	5 0 1 3 3 0 6	05/07/91	Solomon et al.	604	265	
	5 0 1 9 0 9 6	05/28/91	Fox, Jr. et al.	600	36	
	5 0 3 3 4 8 8	07/23/91	Curtis et al.	132	321	
	5 0 8 9 2 0 5	02/18/92	Huang et al.	264	255	
	5 0 9 1 4 4 2	02/25/92	Milner	523	122	
	5 1 0 2 4 0 1	04/07/92	Lambert et al.	604	264	
	5 1 6 5 9 5 2	11/24/92	Solomon et al.	427	2.25	
	5 1 8 0 6 0 5	01/19/93	Milner	427	2.3	
	5 2 0 0 1 9 4	04/06/93	Edgren et al.	424	473	
	5 2 0 9 2 5 1	05/11/93	Curtis et al.	132	321	
	5 2 6 1 4 2 1	11/16/93	Milner	128	898	
	5 3 5 7 6 3 6	10/25/94	Dangman et al.	2	161.7	
	5 3 3 5 3 7 3	08/09/94	Dangman et al.	2	161.7	
	5 3 5 7 6 3 6	10/25/94	Dresdner, Jr. et al.	2	161.7	
	5 4 2 0 1 9 7	05/30/95	Lorenz et al.	525	54.3	
	5 4 5 1 4 2 4	09/19/95	Solomon et al.	427	2.1	
	5 6 1 6 3 3 8	04/01/97	Fox Jr. et al.	424	423	
	5 7 0 7 3 6 6	01/13/98	Solomon et al.	604	265	

Examiner

Date Considered

\* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not conformance and not considered. Include copy of this form with next communication to applicant.  
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		5	7	7	2	6	4	0	06/30/98	Modak et al.	604	265	
		6	0	8	3	2	0	8	07/04/00	Modak et al.	604	265	
		6	1	0	6	5	0	5	08/22/00	Modak et al.	604	265	
		6	2	2	4	5	7	9	05/01/01	Modak et al.	604	265	
		6	2	6	1	2	7	1	07/17/01	Solomon et al.	604	265	
		6	6	2	6	8	7	3	09/30/03	Modak et al.	604	265	

**FOREIGN PATENT DOCUMENT**

		Document No.							Date	Country	Class	SubClass	Translator	
													Yes	No
		0	3	2	8	4	2	1	08/16/89	EP				
		0	3	7	9	2	7	1	07/25/90	EP				
		0	4	7	2	4	1	3	08/21/91	EP				
		9	3	0	6	8	8	1	04/15/93	WO				
		9	3	0	2	7	1	7	02/18/93	WO				
		0	6	6	3	2	1	2	05/30/95	EP				
		9	6	2	2	1	1	4	07/25/96	WO				
		9	7	2	5	0	8	5	07/17/97	WO				
	1	1	0	4	9	6	2	5	02/23/99	JP				
		0	0	5	7	9	3	3	10/05/00	WO				

**OTHER DOCUMENTS (including Author, Title Date, Pertinent Pages, Etc.)**

			The Merck Index, An Encyclopedia of Chemicals, Drugs and Biologicals, Tenth Edition Merck & Co., Inc., Rahway, NJ, 1983, p. 1092.
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		Bach A, Bohrer H, Motsch J, Martin E, Geiss HK, Sonntag HG. Prevention of bacterial colonization of intravenous catheters by antiseptic impregnation of polyurethane polymers. J Antimicrob Chemother. 1994 May;33(5):969-78.
		Choi L, Choudhri AF, Pillarisetty VG, Sampath LA, Caraos L, Brunnert SR, Oz MC, Modak SM. Development of an infection-resistant LVAD driveline: a novel approach to the prevention of device-related infections. J Heart Lung Transplant. 1999 Nov;18(11):1103-10.
		Tambe SM, Sampath L, Modak SM. In vitro evaluation of the risk of developing bacterial resistance to antiseptics and antibiotics used in medical devices. J Antimicrob Chemother. 2001 May;47(5):589-98.
		Kim CY, Kumar A, Sampath L, Sokol K, Modak S. Evaluation of an antimicrobial-impregnated continuous ambulatory peritoneal dialysis catheter for infection control in rats. Am J Kidney Dis. 2002 Jan;39(1):165-73.
		Gaonkar TA, Sampath LA, Modak SM. Evaluation of the antimicrobial efficacy of urinary catheters impregnated with antiseptics in an in vitro urinary tract model. Infect Control Hosp Epidemiol. 2003 Jul;24(7):506-13.
		On April 17, 2000, which is prior to the December 22, 2000 filing date of the present application (Serial No. 09/746,670), a triple lumen catheter was sold by the licensee, Arrow Incorporated, in the United States. This catheter had an outer coating prepared using a solution containing three percent (3%) weight by volume (w/v) of chlorhexidine diacetate and 0.75 percent w/v silver sulfadiazine. The catheter had an inner lumen coating prepared using a solution containing the solvent ethanol, 0.75 percent (0.75%) w/v chlorhexidine free base, and 0.75 percent (0.75%) w/v chlorhexidine diacetate.

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